

**DRAFT**  
**Quarterly Call with MPCA and EPA**  
**November 14, 2017 2:00 p.m. Central Time**  
Call – in Number Ex. 6 Personal Privacy (PP) code is Ex. 6 Personal Privacy (PP)

**1. Inspections / Enforcement Update –**

The following is a list of MN inspections conducted by R5 WECAB in 2017 and the current status of each:

**Tribal/Tribal Land:**

Chippewa Ranch WWSL – writing inspection report

Mahnomen - writing report

Lower Sioux WWTP – writing report

White Earth WWSL – writing report

Prairie Island – writing report

**MS4:**

St. Paul – joint inspection/audit was conducted week of June 26 2017; report is under development

**CSO:**

Minneapolis / Met Council – inspection was conducted last week in July 2017; report is under development

**Mining/Other:**

U.S. Steel Minntac Tailings Basin - inspection was conducted mid-October; report is under development

The following enforcement actions took place since our May 2017 call:

**City of Bejou** – Admin Consent Order negotiations underway for CWA violations (negotiation letter issued Oct 25)

***Note to MPCA:** – please let us know if you'd like more information on any of the above, or if there are other cases/matters you'd like to discuss.*

- 2. SRF Discussion** – The MPCA SRF Pilot report was finalized in January 2017. Progress on meeting the SRF action items was discussed and tracked during the February 2017 and May 2017 quarterly calls.

During the May 2017 call and in a subsequent email to WECA on July 13, MPCA indicated that they consider several actions to be satisfied, as summarized below, with WECA's response in *italics*.

**CWA 1(a)** -- MPCA is flowing required data for majors into ICIS, including data for the state's NPDES-permitted mines (specifically Minntac and NorthShore). *WECA concurs.*

**CWA 1 (a)** – Data flow issues for MN minors into ICIS continues to be a concern. A call between the MN and WECA data managers is scheduled for this week to discuss current status. *At this time, WECA considers this portion of CWA 1(a) incomplete.*

**CWA 1(b)** -- SEV training (provided via EPA webinar on 10/26/16), as well as developing state SEV guidance and data entry procedures for staff, are completed actions. *WECA concurs.*

**CWA 2:** This action item pertained to assessing Schedules of Compliance. *At this time WECA considers this action item incomplete until the Minntac/MPCA court action is resolved, or action is otherwise taken to resolve the facility's non-compliance.*

**CWA3:** This action item asked MPCA to clarify, through written correspondence with SDS facilities, procedures for investigating tailings basin seeps and reporting wastewater spills. When spills are identified MPCA will follow applicable enforcement response plan recommendations.

*WECA reviewed MPCA's response, and would like to know how it was determined the seeps were ground water that wasn't contaminated with process water – i.e., was sampling involved or another method?*

**CWA 4** –commitment to develop a comprehensive checklist including laboratory requirements, observations such as calibration of flow measurements, etc. The original deadline in the SRF is December 2017. MPCA has indicated that an extension is needed due to contractor delays in fine-tuning Tempo. Creation of the checklists is dependent on making these improvements. *WECA supports this extension; can MPCA recommend a revised deadline?*

3. **Update on CMS** – submitted on 11/9; draft has been forwarded to HQ for consultation; WECA and MPCA staff will schedule call within next week for initial review.
4. **Update on Petitions** – TBD (Beese will provide on the call)
5. **Anything else?**
6. **Plans for next call, and adjourn**